

## BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation	)	
	)	
or Suspension of the Educators	)	<b>ORDER OF SUSPENSION</b>
	)	<b>(BREACH OF CONTRACT)</b>
Certificate of Jamie Murillo	)	
	)	
Certificate # 212895	)	

### SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on April 13, 2004. On April 8, 2004, the State Department of Education (Department) e-mailed Mr. Jamie Murillo a notice of his right to a due process hearing regarding the possible suspension of his South Carolina educators certificate (certificate). Mr. Murillo e-mailed the Department back that he now lives in Spain and could not attend a hearing. After considering the evidence presented, which was undisputed by Mr. Murillo, the State Board voted to suspend Mr. Murillo's certificate for one year.

### FINDINGS OF FACT

Mr. Murillo holds a valid certificate, and has one year of teaching experience. Mr. Murillo was under contract with Marion County School District Seven (District) for the 2003-2004 school year, as a Spanish teacher at Creek Bridge High School. On January 5, 2004, Mr. Murillo called District Superintendent Everette Dean to inform him that he would not be returning to Creek Bridge High School after the holidays since he had returned to Spain. Superintendent Dean wrote Mr. Murillo on January 7, 2004, and stated that he would recommend a revocation of his certificate to the State Board.

On January 6, 2004, the Marion School District Seven Board of Trustees voted to file a complaint with the State Board seeking the suspension of Mr. Murillo's certificate for breach of contract.

### **CONCLUSIONS OF LAW**

The State Board may suspend the certificate of any person for breach of contract. S.C. Code Ann. § 59-25-530 (1990). Unprofessional conduct includes breach of contract. S.C. Code Ann. § 59-25-160 (1990); 24 S.C. Code Regs. 43-58 (1992). The State Board finds that there is conclusive evidence supporting its decision to suspend Mr. Murillo's certificate # 212895 for a period of one year from January 5, 2004 through January 4, 2005, on the ground of unprofessional conduct due to breach of contract. At the end of the suspension period if he wants his certificate reinstated, Mr. Murillo may make a written request for reinstatement to the Office of Teacher Certification of the Department.

South Carolina State Board of Education

By: /S/ Mary E. Jones

Dr. Mary E. Jones

Chair

Columbia, South Carolina

April 13, 2004